



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/904,669	07/13/2001	Charles S.H. Young	0575/62530-A/JPW/ADM

Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, NY 10036



CONFIRMATION NO. 5175

## FORMALITIES LETTER



\*OC000000006489742\*

Date Mailed: 08/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/09/2002 SDENB001 00000044 0330A-53

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M.M.  
COPY OF PAPERS  
ORIGINALLY FILED

MR  
(4)

Dkt. 0575/62530-A/JPW/ADM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Charles S.H. Young and Peter J. Hoey  
U.S. Serial No. : 09/904,669  
Filed : July 13, 2001  
For : MODIFIED ADENOVIRUS AND USES THEREOF

1185 Avenue of the Americas  
New York, New York 10036  
March 29, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO AUGUST 29, 2001 NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION FILING DATE GRANTED,  
TRANSMITTAL OF VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL  
ENTITY STATUS UNDER 37 C.F.R. §1.9(f) AND §1.27(d),  
AND PETITION FOR A FIVE MONTH EXTENSION OF TIME**

This Communication is submitted in response to the August 29, 2001 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to this August 29, 2001 Notice was due October 29, 2001. Applicants herewith petition for a five month extension of time in which to respond to the August 29, 2001 Notice. The fee for a five month extension of time for a small entity is NINE HUNDRED EIGHTY DOLLARS (\$980.00) and a check including this amount is enclosed. With a five month extension of time, a response to the August 29, 2001 Notice is due March 29, 2002. Accordingly, this Communication is being timely filed.

Charles S.H. Young and Peter J. Hoey  
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The Notice to File Missing Parts of Application indicates that the oath or declaration is missing. Applicants attach hereto a copy of the Notice as **Exhibit 1**. In response, applicants submit as **Exhibit 2** hereto a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

The surcharge set forth in 37 C.F.R. §1.16(e) for filing a late Declaration for a small entity is SIXTY-FIVE DOLLARS (\$65.00) and a check including this amount is enclosed.

**Transmittal of Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) AND §1.27(d)**

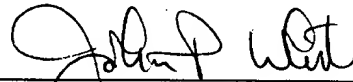
Assignee submits herewith a Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) and §1.27(d) as **Exhibit 3**. This Verified Statement is signed by Michael J. Cleare, the authorized official of the assignee, The Trustees of Columbia University In The City of New York. Assignee is concurrently filing FORM PTO-1595 (Substitute) Requesting Recordation of Assignment of the signed, original Assignment of rights from Charles S.H. Young and Peter J. Hoey to The Trustees Of Columbia University In The City Of New York for recordation in the U.S. Patent and Trademark Office in connection with the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

Charles S.H. Young and Peter J. Hoey  
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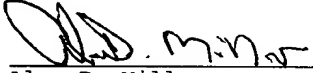
No fee, other than the enclosed fee of \$1,045.00 (\$980.00 for a five month extension of time plus \$65.00 surcharge for late filing of a Declaration), is deemed necessary in connection with the filing of this Communication. However, if any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

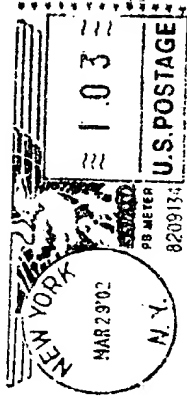


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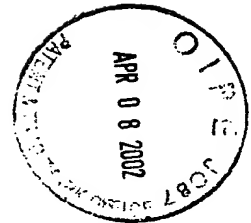
I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

 3/29/02  
Alan D. Miller Date  
Reg. No. 42,889

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**TO:** Assistant Commissioner for Patents  
Washington, D.C. 20231  
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